

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 12-1171

EUGENE MARTIN LAVERGNE,
Appellant

V.

JOHN BRYSON, in his official capacity as the Secretary
of the United States Department of Commerce;
JOHN GROVER, in his official capacity as the Director
of the United States Census Bureau;
KAREN L. HAAS, in her official capacity as the Clerk
of the United States House of Representatives;
JOHN BOEHNER, in his official capacity as the Speaker
of the United States House of Representatives;
DANIEL INOUE, in his official capacity as the President Pro Tempore
of the United States Senate;
JOSEPH BIDEN; in his official capacity as the President of the Senate;
DAVID FERRIERO, in his official capacity as the Archivist of the United States
of America

On Appeal from the United States District Court
for the District of New Jersey
(No. 3-11-cv-07117)
District Judge: The Honorable Peter G. Sheridan

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)
September 14, 2012

Before: SMITH and CHAGARES, Circuit Judges, and
ROSENTHAL, District Judge*

* The Honorable Lee H. Rosenthal, U.S. District Judge for the Southern District of Texas, sitting by designation.

JUDGMENT

This cause came to be considered from the United States District Court for the District of New Jersey and submitted pursuant to Third Circuit L.A.R. 34.1(a) on September 14, 2012. On consideration whereof, it is hereby

ADJUDGED and ORDERED by this Court that the order of the District Court dated December 16, 2011 is hereby AFFIRMED in all respects. All of the above in accordance with the opinion of this Court. Costs taxed against Appellant.

ATTEST:

/s/Marcia M. Waldron,
Clerk

Dated: September 20, 2012

ENTRY OF JUDGMENT

Today, **September 20, 2012** the Court entered its judgment in the above-captioned matter pursuant to Fed. R. App. P. 36.

If you wish to seek review of the Court's decision, you may file a petition for rehearing. The procedures for filing a petition for rehearing are set forth in Fed. R. App. P. 35 and 40, 3rd Cir. LAR 35 and 40, and summarized below.

Time for Filing:

14 days after entry of judgment.

45 days after entry of judgment in a civil case if the United States is a party.

Page Limits:

15 pages

Attachments:

A copy of the panel's opinion and judgment only. No other attachments are permitted without first obtaining leave from the Court.

Unless the petition specifies that the petition seeks only panel rehearing, the petition will be construed as requesting both panel and en banc rehearing. If separate petitions for panel rehearing and rehearing en banc are submitted, they will be treated as a single document and will be subject to a combined 15 page limit. If only panel rehearing is sought, the Court's rules do not provide for the subsequent filing of a petition for rehearing en banc in the event that the petition seeking only panel rehearing is denied.

A party who is entitled to costs pursuant to Fed.R.App.P. 39 must file an itemized and verified bill of costs within 14 days from the entry of judgment. The bill of costs must be submitted on the proper form which is available on the court's website.

A mandate will be issued at the appropriate time in accordance with the Fed.R.App.P. 41.

Please consult the Rules of the Supreme Court of the United States regarding the timing and requirements for filing a petition for writ of certiorari.

Very truly yours,

Marcia M. Waldron

Marcia M. Waldron, Clerk

By: Timothy McIntyre

Timothy McIntyre, Case Manager
267-299-4953

